

**Town of Milton  
Town Council Meeting Minutes  
October 3, 2005**

**OPEN FLOOR (7:15 p.m.):**

- A.) Marie Mayor of 337 Union Street – asked if the budget was passed, when it will be public, was a decision made regarding the salary increases. She also stated that performance appraisals are a necessity.  
Mayor Bushey noted that the budget was passed and copies are available at Town Hall.
- B.) Bob Blayney of 210 Chandler Street – asked that the Town give serious consideration to the Eagle Eye proposal/development on the agenda later this evening.
- C.) Kathryn Greig of 326 Union Street – gave a Garden Club update. She is pleased with how the flowers looked this summer. The Garden has planted about 75 mums and has 25 to 40 more to plant along Governor's Walk. The Garden Club has purchased tulip, daffodil, and hyacinth bulbs to be planted later this fall. She thanked the Town Manager and Maintenance Department for their help. Every time she has called, they have been more than willing to help with whatever she needed.
- D.) Matt Greig of 326 Union Street – reported that he took over the Governor's Antique Mall at 109 Union Street. He just wanted to introduce himself. He hopes it will be an improvement to downtown.
- E.) Ginny Weeks of 19 Clifton Street – presented a petition regarding the large development (requesting 3 more public hearings and an impartial cost-benefit analysis).
- F.) Marianne Lester of 311 Mill Street – reported that she attended the PLUS meeting regarding annexation of the large parcels on Route 16. She noted that it was a preliminary review and presented the Council with a paper stating what some of the comments were at that meeting.
- G.) Michela Coffaro of 608 Union Street – regarding impact fees.
- H.) Dr. Charles Wagner – regarding Sunshine Marina (on agenda later this evening). He supports the project.
- I.) Donna Gordon of Catsnippers – reported that 107 cats have been snipped in 2005. 10 more will be done this month. They raised \$250 from Bargains on the Broadkill and \$300 from "Save a Cat, Eat a Dog". On October 10, Roadhouse will give 10% of their sales to the Catsnippers.

Councilwoman Betts offered a moment of silence at 7:35 p.m. The Pledge of Allegiance followed.

Mayor Bushey called the roll.

PRESENT: Mayor John Bushey  
Councilwoman Leah Betts  
Councilman Gene Dvornick  
Councilwoman Ronda Melson  
Councilman Don Post  
Councilman Noble Prettyman  
Councilman Jerry Hudson

Others Present: Hal Godwin, Town Manager  
Eric Evans, Code Enforcer  
Allen Atkins, Maintenance Supervisor  
Dawn Johnson, Administrative Assistant  
Gina Jennings, Finance Director  
William Phillips, Chief of Police  
Bob Kerr, Town Engineer  
Tim Willard, Town Attorney

#### **Presentation and Approval of Minutes**

Councilman Prettyman made a **motion** to approve the minutes of the September 6, 2005 regular meeting, seconded by Councilwoman Melson.

Motion carried – “Aye”

#### **Committee Reports**

**Sewer & Water** – Councilman Hudson reported that the Committee met on September 13. Council has copies of the minutes in written form. Town Manager is to contact Dogfish Head with an update regarding the Wastewater Treatment Design/Build project.

**Streets & Sidewalks** – Councilwoman Betts reported that the Committee met on September 21. There was discussion regarding the sidewalk in front of 417 Federal Street.

Councilwoman Betts made a **motion** to fix the sidewalk, seconded by Councilman Prettyman.

Motion carried – “Aye”

Councilwoman Betts reported that the Committee had previously discussed installing a street light on Lake Drive. The residents did not want the street light, but the Committee recommended installing it for safety reasons.

Councilwoman Betts made a **motion** to install a street light on Lake Drive.  
Councilwoman Melson seconded the motion.

Motion failed – 1 Aye (Betts)  
6 Nay

Councilwoman Betts stated that she needs a decision regarding the sidewalk ordinance. She would like Town Council to instruct the Committee to either go along with the Code or change the Code.

Councilman Dvornick noted that Town Council could “wrap” money for sidewalk repairs into the bond referendum. Councilman Post also suggested considering sidewalks under impact/annexation and to continue to look for grant money.

Councilwoman Betts asked a question regarding something else the Committee had discussed; parking on one side of Chestnut Street. Councilman Hudson made a **motion** to send this issue back to the Committee and the Committee poll the residents on Chestnut Street. Councilman Dvornick seconded the motion.

Motion carried – “Aye”

With regard to Frederick Street curb cuts, it was asked that follow-up be done.

Mayor Bushey brought up the concern raised by Reverend Clendaniel during the open floor session at the last meeting regarding the stop signs at Chandler Street and Behringer Avenue. It was the consensus of the Council for the Street Committee to review this situation and make recommendations to Council.

Personnel/Pension – Councilwoman Melson asked for an Executive Session.

Parks & Recreation – Councilman Post reported that the USDA grant has been submitted. He thanked Town Manager Godwin and Dawn for their work on the grant application. The Garden Club needs revenue for next year for beautification.

Economic Development – Councilman Post reported that the survey form has been completed and should be out within the next two (2) weeks. He urged everyone in the audience to send it back in.

Planning & Zoning – Linda Rogers reported that Planning & Zoning had a large public hearing in August, a workshop on September 13, and a meeting to discuss pros and cons on September 20. They will be meeting on October 4 to review the pros and cons and forward them to the State. She noted that the Committee has been cleared with regard to the ethics issue that was brought up. She also had some concerns/questions regarding the appointment of the new members.

Board of Adjustment – Larry Savage reported that the Board met on September 27 to hear five (5) variance applications.

Milton Development Corporation – Councilwoman Betts reported that the theater will be hosting the Fantasticks on October 14 and 15 at 7:00 p.m. and October 16 at 2:00 p.m. and again on October 21 and 22 at 7:00 p.m. and October 23 at 2:00 p.m. Tickets are \$15 for adults and \$12 for seniors and those under 18.

Finance/Risk Management – Councilman Dvornick had no report from the Finance/Risk Management Committee. He did announce that Ed McMahon will be here on October 18 at 7:00 p.m. at Mariner Middle School

Councilman Post asked if it is possible to get a monthly expenditure and balance report? Councilman Dvornick stated yes.

Police Building – Councilwoman Betts reported that the Committee has one issue it is looking into.

### **Written Reports**

#### Maintenance Reports

Councilman Dvornick made a **motion** to approve the Maintenance Report, seconded by Councilman Hudson.

Councilman Hudson asked Mr. Atkins if the plant is running better. Mr. Atkins stated yes.

The question was called on the motion.

Motion carried – “Aye”

Councilman Dvornick made a **motion** to approve the Public Works Report, seconded by Councilwoman Melson.

Motion carried – “Aye”

#### Code Enforcer Report

Councilman Prettyman made a **motion** to approve the Code Enforcer’s Report as written. The motion was seconded by Councilman Hudson.

Motion carried – “Aye”

#### Police Department Report

Councilman Dvornick made a **motion** to approve the Police Department Report. Councilwoman Hudson seconded the motion.

Motion carried – “Aye”

### Town Manager Report

**Motion** was made by Councilman Prettyman to approve the Town Manager's Report as written, seconded by Councilman Dvornick.

Motion carried – "Aye"

There were questions and discussion regarding Council receiving the monthly reports the day before or the day of the meeting. They don't have time to review when they receive them late. However, when the 30<sup>th</sup> of the month falls on a Friday, the monthly reports can't be completed until the close of business.

It was suggested that the monthly reports be prepared one week out (prior to the meeting).

Councilman Post made a **motion** that the reports be through the 20<sup>th</sup> of the month. Councilman Prettyman seconded the motion.

Motion carried – "Aye"

Town Manager Godwin handed out a flyer from the University of Delaware Institute for Public Administration for a class on October 28 in Dewey Beach from 8:15 a.m. to 3:00 p.m. and encouraged all of Town Council to attend.

### **Correspondence**

- Councilwoman Melson referred to a letter about the new Planning & Zoning members and noted that those issues are already being addressed with the discussion earlier tonight.

### **Old Business**

#### Executive Session

Councilman Prettyman made a **motion** to go into Executive Session at 8:40 a.m. to discuss land and personnel. The motion was seconded by Councilman Dvornick.

Motion carried – "Aye"

Councilman Dvornick made a **motion** to come out of Executive Session at 9:30 p.m., seconded by Councilman Post.

Motion carried – "Aye"

### Municipal and Financial Services Group – Ed Donahue

Mr. Donahue and Dave Heider gave a power point presentation and answered questions.

Councilman Dvornick stated that the information that Mr. Donahue and Mr. Heider used was directly out of the Comprehensive Plan based on the presentation made to the AdHoc Water and Sewer Committee in July 2004.

#### Cost Benefit Analysis

Jim Hartling of Urban Partners gave a brief presentation regarding a cost revenue analysis. His estimate was \$7,300.00.

Jim Galvin of Davis, Bowen, and Friedel gave a brief presentation also.

It was noted that there is also a \$10,000 matching grant through the State of Delaware.

Councilman Post made a **motion** to use Urban Partners due to their past experience and to apply for the State grant. The motion was seconded by Councilwoman Melson. Mr. Godwin did inform Council that the grant would be a 50/50 match. The Town would not be responsible for the full \$10,000.00

Motion carried – “Aye”

#### **New Business**

##### Request for Conditional Use for Beauty Salon at 517 Chestnut Street

Councilman Hudson made a **motion** to grant the conditional use based on the Planning & Zoning’s recommendation and revisit it in 12 months. Councilwoman Betts seconded the motion.

Motion carried – 6 Aye  
1 Abstain (Dvornick)

Councilman Dvornick did not participate in the discussion or vote.

##### Capital Improvement Plan – Councilman Post

Councilman Post recommended establishing a capital improvement fund within a few months. Councilman Dvornick would like us to take a look at transfer tax and how we are using it. Mayor Bushey stated that we are always “robbing Peter to pay Paul.”

##### Eagle Eye Development LLC (Lynne Celia) Regarding EDU’s for Milton Marina Project

Lynn Celia stated that she went before Planning and Zoning on September 20, 2005. She noted this project needs 30-40 EDU’s for the 23 condo units and 18,000 square feet of commercial. They would not require all of the EDU’s at one time. It is anticipated that they would need 15 to 20 in 2007 and the remainder in 2008.

##### Lutheran Senior Services Agreement – Payment in Lieu of Taxes

Town Manager Godwin reported that the Town did request \$5,000, but Lutheran Senior Services has not agreed to it.

Councilman Dvornick asked that Mr. Godwin call Lutheran Senior Services.

**Other Business**

Councilwoman Betts reported that the Town of Milton is sponsoring SCAT in November. It is important that Town Council and employees attend.

Tim Willard cautioned Council about attending Planning and Zoning meetings. Councilman Post felt it appropriate for Council to go and do their homework. Mr. Willard again cautioned Council about attending Planning and Zoning meetings and taking in that information.

Councilman Dvornick made a **motion** to make revisions to the letter discussed in Executive Session and send it back for consideration. Councilwoman Betts seconded the motion.

Motion carried – “Aye”

Councilman Dvornick made a **motion** to direct the Town Manager to do job reclassifications and pay structures, seconded by Councilman Hudson.

Motion carried – “Aye”

**Adjournment**

Councilman Hudson made a **motion** to adjourn the meeting. Councilwoman Betts seconded the motion.

Motion carried – “Aye”

The meeting was adjourned at 11:00 p.m.

Respectfully submitted,

Dawn Johnson  
Administrative Assistant

dmbj:10/12/05